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## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

		Application Number	09/943,286
		Filing Date	August 30, 2001
		First Named Inventor	NUNOMURA
		Group Art Unit	To be assigned
		Examiner Name	To be assigned
Total Number of Pages in This Submission	19	Attorney Docket Number	GP104-03.CN1

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Response to Notice to Comply (2 pgs.) <input checked="" type="checkbox"/> Sequence Listing or paper(9 pgs.) <input checked="" type="checkbox"/> Sequence Listing Diskette <input checked="" type="checkbox"/> Sequence Listing Verification <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement(2 pgs.) <input checked="" type="checkbox"/> PTO/SB/08 (in duplicate - 4 pgs. total) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CO. Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Notice of Brief Response) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> <li>1. Return Copy of Notice to Comply(2 pgs.)</li> <li>2. Copies of 9 Cited References</li> <li>3. Return Receipt Postcard</li> </ul>
Remarks		
<b>The Commissioner is hereby authorized to charge any fee due in connection with this filing to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.</b>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

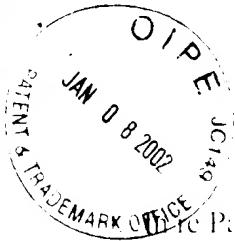
Firm or Individual name	Michael J. Gilly, Reg. No. 42,579
Signature	
Date	December 17, 2001

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope properly addressed to: Commissioner for Patents, Washington, DC 20231 on this date December 17, 2001

Typed or printed name	Michael J. Gilly, Reg. No. 42,579
Signature	
Date	December 17, 2001

I declare under penalty of perjury that the above information was given in good faith and is true to the best of my knowledge. Any statement made or any document filed in connection with this application which is false or misleading will subject me to the penalties of 37 CFR 1.95 and 37 CFR 1.116. I also declare that I am the owner of the rights to the address listed above. I declare further that the address listed above was correct on December 17, 2001.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application of: ) Group Art Unit: To be assigned  
NUNOMURA ) ) Examiner: To be assigned  
Serial No. 09/943,286 ) ) Atty. Docket No. GP104-03.CN1  
Filed: August 30, 2001 ) )  
For: POLYNUCLEOTIDE ) )  
AMPLIFICATION METHOD ) )

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER C.F.R. § 1.97(b) & (c)**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant brings to the Examiner's attention the references listed on the attached form PTO/SB/08 (submitted in duplicate) for consideration in connection with the examination of the above-identified application. A copy of each cited reference is enclosed.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing of a first Office action on the merits.

If Applicant is mistaken, and a first Office action on the merits was mailed on or before the certified mailing date of this Information Disclosure Statement, as indicated on the enclosed Transmittal Form, then Applicant requests that this Information Disclosure Statement be treated as a submission under 37 C.F.R. § 1.97(c) and that the fee due under 37 C.F.R. § 1.17(p) be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

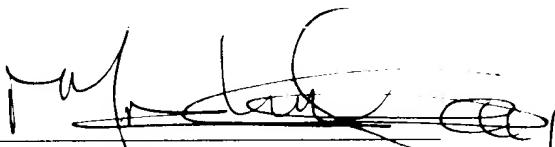
IDS

Serial No. 09/943,286  
Atty. Docket No. GP104-03.CN1

Applicant respectfully requests that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with the Examiner's initials or other appropriate marks.

Respectfully Submitted,

Date: December 17, 2001

By:   
Michael J. Gilly  
Registration No. 42,579  
Agent for Applicant

GEN-PROBE INCORPORATED  
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10210 Genetic Center Drive  
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Ergebnis für die 1. Lösung  $\rightarrow$  +

Applicant's use thereof in connection with the goods or services set forth above, in commerce within the United States, is likely to cause confusion, mistake, or deception.

<sup>1</sup> See the Pollution Reduction Act of 1995. No persons are required to respond to a request for information unless it contains a valid summons.

Substitute for Form 1449B PTC		<i>Complete if Known</i>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				
(use as many sheets as necessary)				
Sheet	2	of	2	
			<b>Application Number</b>	<b>09/943,286</b>
			<b>Filing Date</b>	<b>August 30, 2001</b>
			<b>First Named Inventor</b>	<b>NUNOMURA</b>
			<b>Group Art Unit</b>	<b>To be assigned</b>
			<b>Examiner Name</b>	<b>To be assigned</b>
			<b>Attorney Docket Number</b>	<b>GP104-03.CN1</b>

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

### Shows

2

1

2

**Complete if Known**

Application Number	09/943,286
Filing Date	August 30, 2001
First Named Inventor	NUNOMURA
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	GP104-03 CN1

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

EXAMINER NAME		DATE RECEIVED	INCLUDE NAME OF THE AUTHOR (IN CAPITAL LETTERS); TITLE OF THE ARTICLE (WHEN APPROPRIATE); TITLE OF THE BOOK; MAGAZINE; CULTURE; SERIES; SYMPOSIUM; CATALOG; ETC.; DATE; PAGE(S); VOLUME-ISSUE NUMBER(S); PUBLISHER; CITY AND OR COUNTRY WHERE PUBLISHED
			ERLICH et al., "The Design and Optimization of the PCR", PCR Technology, 1989, Chp. 1, pp. 14-15. Stockton Press, US. XP002183252
			INNIS et al., "PCR Protocols - A Guide to Method and Applications". 1989, pp. 10, Academic Press, San Diego, US, XP002183253
			KELLOGG et al., "Quantitation of HIV-1 Proviral DNA Relative to Cellular DNA by the Polymerase Chain Reaction", Anal. Biochem., Sept. 1990, 189(2):202-208
			PIATAK et al., "Quantitative Competitive Polymerase Chain Reaction for Accurate Quantitation of HIV DNA and RNA Species", BioTechniques, Jan. 1993, 14(1):70-81
			VAN GEMEN et al., "The One-tube Quantitative HIV-1 RNA NASBA: Precision, Accuracy, and Application", PCR Methods Appl., Feb. 1995, 4(4):S177-S184
			WONG-STAAL et al., "Human immunodeficiency virus type 1, isolate BH10, genome", EMBL Online Database, May 1992, XP002183254 (Abstract)

Examiner Signature		Date Considered	
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MANUFACTURER'S STATEMENT: The general contractor shall state his performance with MSAF 609. Drawings through static load test performance and not applicable to the project.

For more information on the application of the new legislation, contact your local immigration officer or attaché.

It is the intent of the undersigned to file a trademark application for the above mark, representing all the needs of the individual firm. Any assignments or transfers of the trademark, or any interest therein, shall be made in the name of the undersigned. The undersigned is the owner of U.S. Patent and Trademark Office Application No. 1,021,754, filed January 10, 1978, for the above ADDRESS, and is the Associate Commerce Mark Patent Washington, D.C. 20540.